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ORDINANCE NO. 454 - AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE CHAPTER 10.18, SETTING HOURS FOR THE PARKING AREAS OF THE WHITMAN DRIVE BIKE PATH, AND MODIFYING PENALTIES FOR VIOLATION OF CHAPTER 10.18 TO CIVIL INFRACTIONS.

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**

2.

3.

Additional names on page ____ of document.

Grantee

1. **The Public**

2.

3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

Additional legal is on page ____ of document.

Assessors Parcel Numbers

n/a

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**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 454

AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE CHAPTER 10.18, SETTING HOURS FOR THE PARKING AREAS OF THE WHITMAN DRIVE BIKE PATH, AND MODIFYING PENALTIES FOR VIOLATION OF CHAPTER 10.18 TO CIVIL INFRACTIONS.

Whereas, Walla Walla County Code Chapter 10.18 was last amended in 1989; and

Whereas, the County has received complaints regarding the parking areas being abused, particularly during nighttime hours; and

Whereas, RCW 46.61.570(2) authorizes Counties to set hours for parking; and

Whereas, RCW 7.80.005 encourages the use of civil infractions, rather than criminal misdemeanors, for enforcement of minor offenses; and

Whereas the following findings of fact and conclusions of law are hereby made:

1. On September 8, 2016 a Notice of Public Hearing was published in the Walla Walla Union-Bulletin.
2. Parking hours are needed to discourage inappropriate activities at the Whitman Drive Bike Path parking area.
3. The use of civil infractions, rather than misdemeanor charges, are necessary to provide for efficient enforcement of rules regarding misuse of the Whitman Drive Bike path and new parking regulations.
4. The Board of County Commissioners held a public hearing on September 19, 2016 for the purpose of receiving testimony for and/or against the proposed changes to the Walla Walla County Code.

Now therefore,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section 1. Walla Walla County Code Chapter 10.18 is amended as follows:

CHAPTER 10.18 - BIKE PATH

10.18.010 - Definition.

"Whitman Drive Bike Path" as used in this chapter means that portion of Whitman Drive described as follows:

A strip of land 60 feet in width situated in the North half of the Southeast Quarter of Section 32, Township 7 North, Range 35 East, W.M., the centerline of said strip being more particularly described as follows:

Beginning at a point in County Road Establishment Number 650A said point being 450 feet Westerly of the East line of Section 32; Thence Westerly and Southwesterly along the centerline of County Road Establishment Numbers 650A, 13 and 281 to the Easterly boundary of the Whitman Mission Donation Claim. (Ord. 199 (part), 1989)

10.18.020 - Prohibited acts.

- A. It is unlawful for any unauthorized person to operate or drive any motor vehicle upon the Whitman Drive Bike Path.
- B. It is unlawful for any unauthorized vehicle to park in the parking area near the Whitman Drive Bike Path between sunset and sunrise. The County Engineer shall post signs consistent with this requirement, which may include a current reference to determine sunset and sunrise times. (Ord. 199 (part), 1989)

10.18.030 - Violation—Penalty.

Any person violating violation of any terms of this chapter, upon conviction thereof, shall constitute a civil infraction punishable by the following fines: be guilty of a misdemeanor.

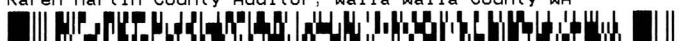
Violation of 10.18.020 A: \$75

Violation of 10.18.020 B: \$20

(Ord. 199 (part), 1989)

Section 2. Effective Date. This Ordinance is effective as of the date of signing.

Section 3. Savings and Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.



Section 4. Index. The index to any chapter of the Walla Walla County Code in which sections are added or removed or in which section titles are changed herein shall also be amended to reflect the section amendments.

Section 5. Publication. This ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 19th day of September, 2016.

Attest:


Connie R Vinti
Connie R. Vinti, Clerk of the Board

James K. Johnson
James K. Johnson, Chairman, District 1

Perry L. Dozier
Perry L. Dozier, Commissioner, District 2

James L. Duncan
James L. Duncan, Commissioner, District 3

Constituting the Board of County Commissioners
of Walla Walla County, Washington

Approved as to form

Jesse D. Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney

